

### **REMARKS**

Claims 1-16 have been canceled without prejudice or disclaimer and new claims 17-36 have been added. Accordingly, claims 17-36 are pending in this application. A Request for Continued Examination (RCE) and the required fee accompany this Amendment so that the Examiner may conduct additional searching and fully consider the pending claims.

### **35 U.S.C. §103**

Claims 1-2, 5-8, 10-12 and 14-15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Woerner et al. (US Patent No. 5882174 - hereafter "Woerner"). Additionally, claims 3 and 9 are rejected over Woerner in view of Lemieux et al. (US Patent No. 5392914 - hereafter "Lemieux") and Astle (US Patent No. 5827745). Further, claim 4 is rejected over Woerner in view of Yonemitsu et al. (US Patent No. 6143083 - hereafter "Yonemitsu"). Also, claims 13 and 16 are rejected over Woerner in view of Yahiro (U.S. Patent No. 6,182,719). These rejections are moot in light of the cancellation of these claims.

### **Examiner Interview**

Applicants' undersigned attorney would like to thank the Examiner for the courtesy extended in granting the in-person interview conducted on December 20, 2005, wherein specifics of the structure required to define the potentially patentable

aspects of the invention were discussed. As a result, Applicants have amended the claims of the invention to better define the patentable aspects.

### **Discussion of New Claims 17-36**

New independent claims 17 and 24, and dependent claims 30 and 35, include a limitation such as a movable table having a supply lifter and a recovery lifter mounted thereon in a back-to-back relationship. This enables the device of the invention to achieve a compact configuration not taught by the prior art, so that the moveable table may be easily pulled out from the analyzer for accessing the supply lifter and/or recovery lifter for adding new part trays or for removing used part trays in a single operation. Further, claims 24, 29 and 35 and dependent claim 18 include the limitation that a controller is able to determine the number of part racks remaining on the supply lifter. This feature is also not taught or suggested by the prior art. Additionally, dependent claims 21, 27 and 32 include the limitation of a rack lift chamber having a door that is automatically locked while the supply lifter or the recovery lifter is in operation for preventing access thereto. This feature is also not taught or suggested by the prior art. Further, an operator is able to pull out the moveable table with the lifters for loading new part racks or removing used part racks, while the analyzer continues to analyze samples, as recited in dependent claims 22 and 25. Additionally, as set forth in dependent claims 23, 28, 33 and 36, an alarm may be sounded if the number of racks remaining on the supply lifter reaches a predetermined threshold. The remaining dependent claims are directed to

additional patentable features of the invention that are also not taught or suggested by the prior art. Accordingly, the pending claims are believed to be patentable over the art of record, whether taken singly, or in combination.

**Conclusion**

In view of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Colin D. Barnitz', written in a cursive style.

Colin D. Barnitz  
Registration No. 35,061

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.  
1800 Diagonal Rd., Suite 370  
Alexandria, Virginia 22314  
(703) 684-1120  
Date: February 7, 2006